

BINGHAM MCCUTCHEN LLP
BRIAN C. ROCCA (SBN 221576)
Three Embarcadero Center
San Francisco, CA 94111-4067
Telephone: (415) 393-2000
Facsimile: (415) 393-2286

BINGHAM MCCUTCHEN LLP
GARY M. HNATH (*Pro Hac Vice*)
FEI-FEI CHAO, Ph.D. (*Pro Hac Vice*)
1120 20th Street NW, Suite 800
Washington, DC 20036-3406
Telephone: (202) 778-6150
Facsimile: (202) 778-6155

e-Filed

Attorneys for Plaintiff
BenQ America Corp.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BENQ AMERICA CORP., a California
corporation,

Plaintiff,

v.

FORWARD ELECTRONICS CO., LTD., a
foreign corporation, and
STMICROELECTRONICS ASIA PACIFIC PTE
LTD., a foreign corporation,

Defendants.

No. 3:05-cv-02409-PJH

**STIPULATION AND [PROPOSED]
ORDER CONTINUING HEARING
DATE ON DEFENDANT'S MOTION
TO DISMISS**

No. 3:05-cv-02409-PJH

STIPULATION AND [PROPOSED] ORDER CONTINUING HEARING DATE
ON DEFENDANT'S MOTION TO DISMISS

Pursuant to Civil Local Rule 6-2, Plaintiff BenQ America Corp. ("BenQ America") and Defendant STMicroelectronics Asia Pacific Pte Ltd. ("ST Singapore"), through their respective counsel, stipulate and agree as follows:¹

WHEREAS ST Singapore filed a motion to dismiss on July 18, 2005 and set a hearing date for August 24, 2005 at 9:00 a.m.;

WHEREAS BenQ America's attorneys will be out of the country on the noticed hearing date on account of preexisting professional and personal commitments;

WHEREAS this is the first continuance requested by the parties related to ST Singapore's motion to dismiss;

THEREFORE, subject to the Court's approval, the parties hereby stipulate and agree that:

1. the hearing date shall be continued until September 7, 2005;
2. BenQ America's response shall be due on August 17, 2005; and
3. ST Singapore's reply brief, if any, shall be due on August 24, 2005.

SO STIPULATED.

DATED: August 1, 2005

BINGHAM MCCUTCHEN LLP

/s/
BRIAN C. ROCCA (SBN 221576)
Three Embarcadero Center
San Francisco, CA 94111-4067

GARY M. HNATH (*Pro Hac Vice*)
FEI-FEI CHAO, Ph.D. (*Pro Hac Vice*)

ATTORNEYS FOR PLAINTIFF
BENQ AMERICA CORP.

¹ Brian C. Rocca, counsel for Plaintiff, hereby attests that Defendant's counsel has consented to the filing of this stipulation.

1 DATED: August 1, 2005

SIDLEY AUSTIN BROWN & WOOD LLP

2

/s/

EDWARD V. ANDERSON (SBN 83148)

3

555 California Street, Suite 2000

4

San Francisco, California 94104-1715

5

RUSSELL L. JOHNSON (SBN 53833)

6

GEORGIA K. VAN ZANTEN (SBN 116869)

7

TEAGUE I. DONAHEY (SBN 197531)

8

MATTHEW L. MCCARTHY (SBN 217871)

9

ATTORNEYS FOR DEFENDANT

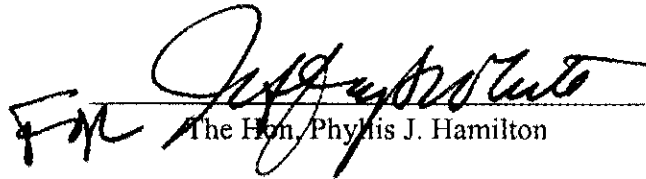
STMICROELECTRONICS ASIA PACIFIC PTE LTD.

10 PURSUANT TO STIPULATION, IT IS SO ORDERED.

11

12 Dated: 8/9/05

13


The Hon. Phyllis J. Hamilton

14

15

16

17

18

19

20

21

22

23

24

25

26